

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:24-cv-00305-KDB**

ANTONIO YULANDER PEARSON,)
vs.)
Plaintiff,)
vs.)
NORTH CAROLINA DEPARTMENT)
OF CORRECTIONS, et al.,)
Defendants.)

ORDER

THIS MATTER is before the Court sua sponte.

The pro se Plaintiff, a prisoner of the State of North Carolina currently incarcerated at the Scotland Correctional Institution in Laurinburg, North Carolina, filed this civil rights action pursuant to 42 U.S.C. § 1983. [Doc. 1]. He moved to proceed in forma pauperis, and the Clerk entered an Order waiving the initial filing fee and directing monthly payments from the Plaintiff's inmate account. [Docs. 2, 5]. On January 13, 2025, the Court vacated that Order because it determined that the Plaintiff is subject to the Prison Litigation Reform Act's "three-strikes" bar, 28 U.S.C. § 1915(g). [Doc. 8]. The Court ordered the Plaintiff to pay the full filing fee within 21 days and cautioned that this action would be dismissed without further notice if he failed to comply. [Id. at 2].

The Plaintiff has not complied with the Court's Order and the time to do so has expired. The Court will, therefore, dismiss this case without prejudice.

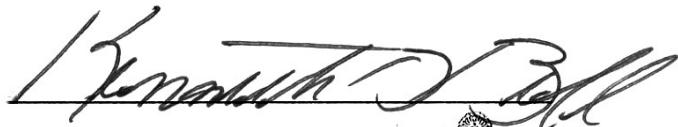
IT IS, THEREFORE, ORDERED that:

1. This action is DISMISSED WITHOUT PREJUDICE.

2. The Clerk of Court's Financial Department is instructed to reimburse Plaintiff for funds that have been collected for the payment of the filing fee in this case, if any, and to return any future payments.
3. The Clerk is respectfully instructed to mail a copy of this Order to the Scotland Correctional Institution in Laurinburg, North Carolina, so that withdrawals from Plaintiff's inmate account for this case can be terminated.

IT IS SO ORDERED.

Signed: February 13, 2025



Kenneth D. Bell
United States District Judge

